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09/819053
09/933347

FACSIMILE

DATE: January 8, 2002

TOTAL PAGE COUNT: 9

FROM: Robert C. Klinger

DIRECT DIAL NUMBER:

NAME	COMPANY NAME	FACSIMILE NUMBER	PHONE NUMBER
Office of Initial Patent Examination	USPTO	703-305-9822	703-308-0910

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CLIENT/MATTER NO.: 101950.00027

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank W. Ahern

Art Unit: 2181

Serial No.: 09/933,347

Examiner: unknown

Filed: May 20, 2000

Docket No.: 101950.00027

For: SYSTEM ENABLING DEVICE COMMUNICATION IN AN
EXPANDED COMPUTING DEVICE**REQUEST FOR CLARIFICATION**
(2 SERIAL NUMBERS ASSIGNED TO SAME APPLICATION)

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

**CERTIFICATE OF FACSIMILE TRANSMISSION
PURSUANT TO 37 C.F.R. 1.8**I hereby certify that this correspondence is being
transmitted by facsimile to the Commissioner for Patents
at facsimile number 703/305-9822 on January 8, 2002.
Debra A. Pepper

Two serial numbers have been assigned to the above-identified application. Please consider the following and advise which of the serial numbers under which prosecution will continue.

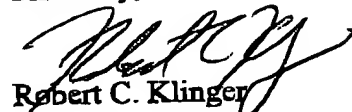
On June 7, 2001, a Decision Granting Petition was mailed in which the above-identified application was granted status as an application under 37 C.F.R. 1.53(b), not a CPA under 37 C.F.R. 1.53(d) (copy attached hereto). A new serial number of 09/819,053 was assigned to the application and receipt of the filing fee was acknowledged in this Decision.

On November 13, 2001, a Filing Receipt was received by the undersigned attorney indicating a serial number of 09/819,053 (copy attached hereto). On December 26, 2001, a Filing Receipt was received by the undersigned attorney indicating a serial number of 09/933,347 (copy attached hereto).

The undersigned attorney respectfully requests clarification as to which of the serial numbers mentioned above is correct.

Should further information be required in order to clear up this matter, please contact the undersigned attorney at the telephone number listed below.

Sincerely,



Robert C. Klinger
Reg. No. 34,365
Attorney for Applicant

Jackson Walker L.L.P.
2435 North Central Expressway, Suite 600
Richardson, Texas 75080
(972) 744-2902 Phone
(972) 744-2909 - Fax

06/20/01 WED 11:37 FAX

PETITIONS

004



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 4

Robert C. Klinger
Jackson Walker, LLP
1435 N. Central Expressway
Suite 600
Richardson, TX 75080

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JUN 07 2001

OFFICE OF PETITIONS
A/C PATENTS

In re Application of
Frank W. Ahern
Application No. 09/130,058
Filed: August 6, 1998
Attorney Docket No. 1 DOS 14

DECISION GRANTING PETITION

In re Application of
Frank W. Ahern
Application No. 09/819,053
Filed: May 20, 2000
Attorney Docket No. 101950.00027

This is a decision on the petition filed February 20, 2001, requesting that an application of FRANK W. AHERN entitled "SYSTEM ENABLING DEVICE COMMUNICATION IN AN EXPANDED COMPUTING DEVICE" (attorney docket No. 101950.00027) improperly filed pursuant to 37 CFR 1.53(d) be accorded a filing date of May 20, 2000 under 37 CFR 1.53(b).

Petitioner alleges that original application papers were filed in the Patent and Trademark Office (PTO) on May 20, 2000. In support, petitioner has supplied a copy of his postcard receipt followed by a copy of the original application papers as shown by counsel's file. The postcard receipt acknowledges the filing on May 20, 2000 of:

1. CPA Application
2. Declaration and Power of Attorney
3. Filing Fee; and
4. Postcard

The papers identified on the postcard receipt cannot be located in the PTO. However, PTO finance records do confirm receipt of CPA filing fees being paid on May 20, 2000 in Application No. 09/130,058.

On May 25, 2001, petitioner filed a copy of a request for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) of prior application No. 09/130,058, a declaration under 37 CFR 1.63 and a copy of the original specification and drawings from the prior application purportedly filed on May 20, 2000.

06/20/01 WED 11:42 FAX

PETITIONS

005

Application Nos. 09/130,058 & 09/819,053

Page 2

The present petition is being construed as a positive affirmation by the registered practitioner that the papers filed in the PTO on May 25, 2001, are true copies of the original application papers shown by counsel's file to have been filed in the PTO on May 20, 2000. Applicants should notify this office if the original papers are subsequently discovered in the PTO so that the present duplicate file can be merged with the original papers and any duplicate filing fee refunded.

Petitioner now indicate that the application was inadvertently filed pursuant to 37 CFR 1.53(d) and requests that the request for a CPA be treated as an application under 37 CFR 1.53(b), and accorded a filing date of May 20, 2000. It is noted that application No. 09/180,058 issued as U.S. Patent No. 6,070,214 on May 30, 2000, as a result of the payment of the issue fee on April 7, 2000.

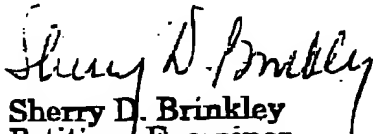
The petition is GRANTED.

The copy of the request for a CPA application, including the accompanying papers filed May 25, 2001, and the petition filed February 20, 2001, have been assigned application No. 09/819,053. All future correspondence concerning the continuing application filed May 20, 2000 should be directed to application No. 09/819,053. One of the CPA filing fees paid in application No. 09/130,058 on May 20, 2000, will be reapplied to application No. 09/819,053.

Thereafter, application No. 09/130,058 will be returned to the Files Repository.

Application No. 09/819,053 is being forwarded to Initial Patent Examination Division for further processing, with a filing date of May 20, 2000, as an application filed pursuant to 37 CFR 1.53(b), not a CPA under 37 CFR 1.53(d), using the application papers supplied on May 25, 2001.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-9220. Telephone inquiries related to OIPE processing should be directed to their hotline at (703) 308-1202.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/819,053	05/20/2000	2181	372	101950-00027	4	23	3

CONFIRMATION NO. 9991

FILING RECEIPT



OC000000007033805

Robert C. Klinger
Jackson Walker, LLP
Suite 600
2435 N. Central Expressway
Richardson, TX 75080

Date Mailed: 11/07/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Frank W. Ahern, Scottsdale, AZ;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/130,058 08/06/1998 PAT 6,070,214

Foreign Applications

If Required, Foreign Filing License Granted 10/12/2001

Projected Publication Date: Not Applicable, filed prior to November 29,2000

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

System enabling device communication in an expanded computing device

Preliminary Class

DOCKETED
11/13/01RECEIVED
NOV 13 2001

710

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/933,347	05/20/2000	2181	372	1 DOS 14	4	23	3

CONFIRMATION NO. 4443

FILING RECEIPT

OC000000007207028

Robert C. Klinger
Jackson Walker, LLP
Suite 600
2435 N. Central Expressway
Richardson, TX 75080

Date Mailed: 12/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Frank W. Ahern, Scottsdale, AZ;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CONTINUATION OF 09/130,058 08/06/1998 PAT 6,070,214

Foreign Applications

If Required, Foreign Filing License Granted 08/31/2001

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

-- SMALL ENTITY --

Title

System enabling device communication in an expanded computing device

Preliminary Class

710

DEC 26 2001

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Title 37, Code of Federal Regulation, 5.11 & 5.15

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